

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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M&T Bank

In Re:
Anthony C. Lamonica,

Debtor.



Order Filed on January 25, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 19-23382 VFP

Adv. No.:

Hearing Date: 01/06/2022 @ 10:00 a.m.

Judge: Vincent F. Papalia

ORDER RESOLVING CERTIFICATION OF DEFAULT

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: January 25, 2022



Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtor: Anthony C. Lamonica

Case No: 19-23382 VFP

Caption of Order: ORDER RESOLVING CERTIFICATION OF DEFAULT

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon, Esq. appearing, upon a certification of default as to real property located at 768 Springfield, Summit City, NJ, 07901, and it appearing that notice of said certification was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Scott E. Tanne, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of January 11, 2022, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due April 2020 through December 2021 for a total post-petition default of \$49,663.56 (2 @ \$2,101.57, 5 @ \$2,828.69, 12 @ \$2,324.40, 3 @ \$1,821.91; less \$2,041.56 suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$49,663.56 shall be added to the affidavit of amount due and paid through Debtor's Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the Debtor shall sell the subject property within six months; and

It is further **ORDERED, ADJUDGED and DECREED** that if the sale is not successful within six months, the debtor will file a modified plan to address the arrears; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume February 1, 2022, directly to Secured Creditor M&T Bank, P.O. Box 1288, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs up to the sum of \$350.00 for attorneys' fees in an amount to be included in a post-petition fee notice, which is to be paid through Debtor's Chapter 13 plan; and

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Debtor: Anthony C. Lamonica

Case No: 19-23382 VFP

Caption of Order: ORDER RESOLVING CERTIFICATION OF DEFAULT

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Certification of Default is hereby resolved.

In re:
Anthony C. Lamonica
Debtor

Case No. 19-23382-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jan 25, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 27, 2022:

Recip ID	Recipient Name and Address
db	+ Anthony C. Lamonica, P O Box 1851, Livingston, NJ 07039-7451

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 27, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 25, 2022 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Kevin Gordon McDonald	on behalf of Creditor M&T BANK kmcdonald@kmlawgroup.com bkgroup@kmlawgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Melissa N. Licker	on behalf of Creditor M&T BANK mlicker@hillwallack.com HWBKnewyork@ecf.courtdrive.com
Phillip Andrew Raymond	on behalf of Creditor M&T BANK phillip.raymond@mccalla.com mcallaecf@ecf.courtdrive.com
Scott E. Tanne	on behalf of Debtor Anthony C. Lamonica ecf@tannelaw.com tanne.ecf.email@gmail.com;tannesr87179@notify.bestcase.com

District/off: 0312-2

User: admin

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Date Rcvd: Jan 25, 2022

Form ID: pdf903

Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 7